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MEMORANDUM

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To: Leon County
From: Patton Boggs LLP
Date: December 6, 2005
Subject: November Status Report

FY06 Appropriations

In November, Congress completed much of its work on the FY06 Appropriations bills. Congress has now sent all but two appropriations bills to the President – the Labor/HHS/Education Appropriations bill and the Defense Appropriations bill remain. Congress has passed a Continuing Resolution to provide funding for these agencies until December 17. Congress must either pass these Appropriations bills by that date or pass another Continuing Resolution to avoid those government agencies from shutting down.

Congress intended on finishing all of the Appropriations bills before leaving for the Thanksgiving recess. In a bit of drama, while the Conference Report for Labor/HHS/Education Appropriations bill was completed, earmarks were not included in the bill for the first time in recent history. The Conference Report when brought to the House floor for consideration was voted down when 22 Republicans voted with all of the House Democrats against the bill (the first time in 10 years a completed Appropriations Conference Report has been rejected). House and Senate leadership deferred further action on the bill until after Thanksgiving. This is the bill that would fund the County's library and Frenchtown requests.

The House is scheduled to return to session today and the Senate next week. The Congressional schedule will be dominated by negotiations and consideration of the Labor/HHS/Education and Defense Appropriations bills, the Budget

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reconciliation process and the Patriot Act Reauthorization bill. Other issues, including an effort to include Katrina related funding in one of the final bills, will likely also demand substantial Congressional attention.

With regard to the Labor/HHS/Education bill, a number of possibilities remain. These possibilities include adding the earmarks back into the Labor/HHS/Education bill to attract enough votes to pass the bill on its own. Another option includes combining the Labor/HHS/Education bill with the Defense Appropriations Bill. This could ensure passage of the bill since members have a difficult time, politically, voting against a Defense Appropriations bill. Regardless, we expect Congress to complete its work on the Appropriations bills in relatively short order once they return.

In November, Congress completed work on the FY06 Transportation/Treasury/HUD Appropriations bill. Not surprisingly, given the size of the SAFETEA-LU earmark for Capital Circle NW earlier this year, the FY06 Transportation/Treasury/HUD bill did not contain an earmark for Capital Circle. Providing funding for Capital Circle NW was a priority of the County's Congressional delegation this year – and they used the SAFETEA-LU bill to provide \$16.1 million for the project.

In November, we continued to lobby the County's Congressional delegation in support of the County's FY06 Appropriations requests.

Legislative Monitoring

We continue to monitor legislative developments of interest to the County. This month, Patton Boggs provided weekly and, as needed, daily updates to County staff regarding developments in Congress.

Legislative Workshop

Patton Boggs participated in the County Board of Commissioner's Legislative Workshop in November. This provided an opportunity for Patton Boggs to work with the Board of Commissioners and County staff to focus on FY07 federal priorities. During this trip Patton Boggs was also able to participate in the ground breaking for the Capital Circle NW project.

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Grant Opportunities

We have been regularly reporting new grant opportunities to the County when they have become available. In November, we communicated with the County about grant opportunities through the Department of Housing and Urban Development, Department of Transportation, the Environmental Protection Agency, and the Department of Education. Pursuing these opportunities can enhance and supplement Congressional efforts in a number of ways. First, it simply provides additional resources if the grant application is successful. Secondly, staff, both personal and committee staff, are inclined to view requests more favorably if the requestor is also pursuing other funding opportunities. Finally, it also serves as a way to educate the relevant government agencies on ongoing projects.

We hope you found this information helpful. Please let us know if we can provide any further detail on the issues discussed in this memorandum.